

Working Paper No. 57

AUGUST 2019



International  
Labour  
Office



GLU

# CURBING PRECARIOUS INFORMAL EMPLOYMENT AND BONDED LABOUR IN THE AGRICULTURE SECTOR OF NEPAL: GEFONT'S INITIATIVE TO LIBERATE *KAMAIYAS*

Bishnu Rimal

GLOBAL  
LABOUR  
UNIVERSITY

The **Global Labour University** (GLU) [www.global-labour-university.org](http://www.global-labour-university.org) is an international network of universities, trade unions, research institutes, think tanks and the International Labour Organisation that

- ❖ develops and implements university post graduate programmes on labour and globalization for trade unionists and other labour experts;
- ❖ undertakes joint research and organizes international discussion fora on global labour issues;
- ❖ publishes textbooks, research and discussion papers on labour and globalization issues.

### **Editorial Board**

Patrick Belser (International Labour Organisation)

Hansjörg Herr (Berlin School of Economics and Law, Germany)

Frank Hoffer (Action, Collaboration, Transformation)

Seeraj Mohamed (University of the Witwatersrand, South Africa)

Rafael Peels (International Labour Organisation)

Archana Prasad (Jawaharlal Nehru University, India)

Helen Schwenken (University of Osnabrück, Germany)

Michael Watt (International Labour Organisation)

Marcelo Weishaupt Proni (Universidade Estadual de Campinas, Brazil)

### **Contact Address**

Hochschule für Wirtschaft und Recht Berlin

IMB - Prof. Hansjörg Herr

Badensche Str. 52

D-10825 Berlin

E-mail: [glu.workingpapers@global-labour-university.org](mailto:glu.workingpapers@global-labour-university.org)

<http://www.global-labour-university.org>

**Layout:** Harald Kröck

# CURBING PRECARIOUS INFORMAL EMPLOYMENT AND BONDED LABOUR IN THE AGRICULTURE SECTOR OF NEPAL: GEFONT'S INITIATIVE TO LIBERATE *KAMAIYAS*

Bishnu Rimal

This case study is part of the Global Labour University research project on the role of trade unions in curbing precarious informal employment. The project was implemented in 2014 and included 10 case studies from nine countries. The integrative report "From 'precarious informal employment' to 'protected employment': The 'positive transitioning effect' of trade unions" that analysed all the case studies can be found at: [http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.42.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.42.pdf).

*The responsibility for opinions expressed in the GLU working papers rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.*

Copyright © International Labour Organization 2019

First published 2019

Publications of the International Labour Office enjoy copyright under Protocol 2 of the Universal Copyright Convention. Nevertheless, short excerpts from them may be reproduced without authorization, on condition that the source is indicated. For rights of reproduction or translation, application should be made to ILO Publications (Rights and Permissions), International Labour Office, CH-1211 Geneva 22, Switzerland, or by email: [rights@ilo.org](mailto:rights@ilo.org). The International Labour Office welcomes such applications.

Libraries, institutions and other users registered with reproduction rights organizations may make copies in accordance with the licences issued to them for this purpose. Visit [www.ifrro.org](http://www.ifrro.org) to find the reproduction rights organization in your country.

---

ISSN: 1866-0541 (print) ; 2194-7465 (PDF)

---

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.

Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

Information on ILO publications and digital products can be found at: [www.ilo.org/publns](http://www.ilo.org/publns).

---

Printed in Switzerland



## ABSTRACT

The *Kamaiya* liberation campaign was one of the robust interventions of the General Federation of Nepalese Trade Unions (GEFONT), which aimed to put a stop to informal and forced (almost slavery in many dimensions) labour practices. The *Kamaiya* system was one of the most vulnerable bonded labour systems prevailing in Nepal until the last century. As *Kamaiyas* were in debt-bondage, they are compelled to work for a landlord from generation to generation.

As a first step to liberate the bonded *Kamaiyas*, GEFONT launched in 1996 the *Kamaiya* Liberation Forum-Nepal (KLFN) and in the same year organized the Federation of Agricultural Workers of Nepal (FAWN) to represent all agricultural workers, including *Kamaiyas*. In the succeeding years, GEFONT engaged in various initiatives and actions to bring to the government and to the public the plight of the *Kamaiyas*. Together with national and international non-government organizations and donor agencies, GEFONT also embarked on various projects and activities aimed at improving the welfare of the *Kamaiyas* and their families.

On 17 July 2000, through a Resolution of Commitment in Parliament, the government declared freedom for the *Kamaiyas*. The government further prohibited every type of bondage and enacted The *Kamaiya* Labour (Prohibition) Act in 2002.

In spite of gaps in the Act and the inherent problems seen during the rehabilitation of *Kamaiyas*, there have been positive developments as a result of GEFONT's interventions and initiatives: landless *Kamaiyas* have received land ownership, houses with toilet facilities, and access to drinking water; children attended schools; almost all former *Kamaiya* workers received at least a minimum wage; children are increasingly withdrawn from child labour; and around a half-dozen freed *Kamaiya* have been elected/selected in the parliament, the Constituent Assembly. Also, trade unions have begun to unionize former *Kamaiyas* along with other agricultural labourers in the districts. Unionization was one of the more satisfactory outcomes of the campaign. At the time FAWN was registered as a federation, the membership rate was high—more than 76,000, about half of which comprised ex-*Kamaiyas*.



## TABLE OF CONTENTS

INTRODUCTION.....	1
1. THE INFORMAL ECONOMY IN NEPAL: AN OVERVIEW .....	2
2. METHODOLOGY.....	6
3. ORIGIN OF THE <i>KAMAIYA</i> SYSTEM.....	7
4. CATEGORIES AND CONDITIONS OF <i>KAMAIYAS</i> .....	9
5. THE LEGAL FRAMEWORK PROHIBITING <i>KAMAIYA</i> LABOUR.....	10
5.1 The <i>Kamaiya</i> Labour (Prohibition) Act of 2002 and its limitations..	11
5.2 The <i>Muluki Ain</i> (Civil Code).....	12
6. GEFONT'S FIGHT AGAINST THE <i>KAMAIYA</i> SYSTEM .....	13
6.1 The establishment of FAWN and FAPWUN.....	13
6.2 Partnership between GEFONT and NGOs.....	17
7. THE LIBERATION OF <i>KAMAIYAS</i> .....	18
7.1 The transition period (2000-2002).....	18
7.2 The process of rehabilitation.....	19
8. THE IMPACT AND OUTCOMES OF THE INTERVENTIONS .....	22
9. CONCLUSIONS.....	25
REFERENCES .....	30
APPENDICES .....	32
Appendix 1: Summary of Major Legislations against Bonded Labour in Nepalese Laws.....	32
Appendix 2: Key Milestones in <i>Kamaiya</i> Liberation and Rehabilitation .....	33

### LIST OF TABLES

Table 1: Employed population aged 15 years and above by sex and formal/informal Sector .....	4
Table 2: Share of informal sector jobs in the non-agriculture sectors by main occupation and sex (in %).....	5
Table 3: Change in informal employment, 1998/99 and 2008.....	6
Table 4: Change in number of <i>Kamaiya</i> families over the years.....	21

## INTRODUCTION

In Nepal, the total number of workers involved in bonded labour systems is estimated to be around 300,000. The *Kamaiya* system is one of the most vulnerable bonded labour systems prevailing in the country since the last 50 years or so. *Kamaiyas* are in debt-bondage to their landlords. As such, they and their families are compelled to work for landlords as bonded labour from generation to generation. *Kamaiyas* have no right to work in other places without the permission of the landlord. Every year (usually in the third week of January), the *Kamaiyas* are 'purchased' and sold by their masters. One master would pay the debt of a particular *Kamaiya* if he likes him. In short, the *Kamaiyas* work under slavery-like conditions.

Almost all *Kamaiyas* and their families are compelled to work more than 18 hours a day for very low remuneration. The *Kamaiyas* are usually given payment in kind, about nine to 12 sacks of rice per year, which is insufficient to meet the needs of an average family of five. Thus, *Kamaiyas* are forced to take out a loan from the landlord, which further deepens their debt bondage to the latter.

After nearly a decade-long campaign by trade unions and non-government organisations to relinquish such practices, the government of Nepal finally acknowledged the *Kamaiya* system as a form of debt-bondage. In July 2000, the Nepali government declared the practice of bonded labour illegal. The General Federation of Nepalese Trade Unions (GEFONT) was in the forefront of the struggle to abolish the *Kamaiya* system. It played a key role in the introduction of the *Kamaiya* Labour (Prohibition) Act in 2002 and in the subsequent rehabilitation of the *Kamaiyas*.

This paper discusses and analyses the initiatives undertaken by GEFONT to curb bonded labour in the form of the *Kamaiya* system. It highlights the critical role of trade unions, in this case the GEFONT, in facilitating the process of 'transitioning' informal work, including bonded labour, to formal and protected work. This paper is part of a research project of the Global Labour University (GLU) that looked into the role of trade unions in curbing precarious employment.<sup>1</sup> This project produced 10 case studies, including this paper, which were written by several alumni of the GLU during the period 2014-2015. The case studies covered various groups of workers, namely: agricultural workers, domestic workers, home-based workers, fixed-term contract workers, casual workers, project-based workers, contract/piece rate workers, seasonal workers, part-time workers, and workers involved in triangular employment relations (i.e. outsourced or subcontracted workers, labour contracting, agency workers, dispatched or subleased workers, etc.).

---

<sup>1</sup> For the integrative report of this GLU project, see: Serrano, M.R. and Xhafa, E. 2016. "From 'precarious informal employment' to 'protected employment': the 'positive transitioning effect' of trade unions.", Working Paper No. 42, Global Labour University (Geneva, ILO). Available at: ([https://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.42.pdf](https://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.42.pdf)).

This paper is comprised of nine parts. Section 1 provides an overview of the informal economy in Nepal. This is followed by a discussion of the methodology in Section 2. Section 3 traces the origins of the *Kamaiya* system, while Section 3 provides the categories and discusses the conditions of *Kamaiyas*. Section 5 discusses and analyses the legal framework introduced in 2002 that prohibited the use of *Kamaiya* labour. Section 6, the main section of this paper, narrates GEFONT's fight against the *Kamaiya* system and the union's initiatives to support the 'liberated' *Kamaiyas*. Section 7 discusses the liberation of the *Kamaiyas* and the problems and challenges encountered thereafter. Section 8 identifies and assesses the impact and outcomes of the interventions that aimed at rehabilitating and protecting the former *Kamaiyas*. Section 8 concludes the paper and summarizes the major findings of the case study.

## 1. THE INFORMAL ECONOMY IN NEPAL: AN OVERVIEW

The Labour Law-1990 of Nepal considers as informal labourers those who are working in any establishment that employs less than 10 persons, with "out of enterprise" as the key phrase. Even though the Labour Act does not use the word "informal", establishments that employ less than 10 people are regarded as belonging to the informal sector.

The Nepal Labour Force Surveys (NLFS) conducted in 1998-1999 and 2009 closely follow the ILO international standard definition of the informal sector, that is, informal enterprises that are not legally regulated. The informal sector has been defined only with respect to the non-agricultural sectors because of the difficulty in defining informal sector activities in the agricultural sector, as Paragraph 16 of the ILO guidelines<sup>2</sup> makes a provision for this exclusion of agricultural activities (Central Bureau of Statistics, 1999, p. 16). Nonetheless, the informal sector forms part of the broader concept of 'informal economy' which refers to "all economic activities by workers and economic units that are, in law or in practice, not covered or insufficiently covered by formal arrangements" (ILO, 2013: 4). In the 104th Session of the International Labour Conference in 2015, Recommendation 204 concerning the transition from the informal to the formal economy was adopted. This recommendation reiterates the foregoing definition of informal economy and clarifies that it "does not cover illicit activities, in particular the provision of services or the production, sale, possession or use of goods forbidden by law, including the illicit production and trafficking of drugs, the illicit manufacturing of and trafficking in firearms, trafficking in persons, and money laundering, as defined in the relevant international treaties" (International Labour Conference, 2015: 4).

---

<sup>2</sup> International Labour Organization (Bureau of Statistics) Resolution concerning statistics of employment in the informal sector, adopted during the Fifteenth Conference of Labour Statisticians, Geneva, 1993.

Of the total employment of Nepal, the informal sector contributes more than 80 percent to the national GDP (Central Bureau of Statistics, 2009). The limited formal employment provided by the private sector is further declining day by day. The low absorptive capacity of the agriculture sector and the high growth rate of labour force, as a result of high population growth, pose severe pressure on the labour market in Nepal (Central Bureau of Statistics, 2009).

The NLFS of 1998-1999 estimated that 11,232,000 of the country's labour force were 15 years old and above, and 52 percent of them female. This number increased by 28.4 percent over almost a decade. Of the total economically active labour force, about 98 percent were employed. Economic activity, as well as rate of employment, was remarkably higher in rural areas than in urban areas. In both the surveys, gender variation was slightly visible. Likewise, the share of labour force and rate of employment differed by geographical location and development regions<sup>3</sup> (Central Bureau of Statistics, 1999; Central Bureau of Statistics, 2009).

The NLFS also showed that about three-fourths of the employed population were found in agriculture, with the remaining one-fourth in the non-agriculture sector, showing the domination of traditional agriculture (Table 1). In the non-agriculture sector, more than 70 percent of employment was provided by the informal sector, where the share of regular paid employees was very low, although it doubled (9% to 18%) between 1998-1999 and 2009.

Among the total labour force in Nepal, 96.2 percent (93.6% male, 98.6% female) are in the informal sector.

Employment in the agriculture and forestry sectors is totally informal, with the fishing industry posting negligible formal employment. In these sectors, females are further deprived of access to formal jobs. Among the non-agricultural industries, public administration and social security has the lowest (22%) share of informal employment, while the mining and quarrying industry is almost fully informal. Among the industries, public administration and social security, financial intermediation, health and social work, education, transport, storage and communication have shares of informal workers that are less than the average of non-agricultural industries, showing more or less the same trend for males and females.

---

<sup>3</sup> Before Nepal was federated into seven provinces, the entire country was divided into five administrative clusters namely, eastern, central, western, mid-west and far-west development regions.

**Table 1: Employed population aged 15 years and above by sex and formal/informal Sector**

(Figures in parentheses in '000)

Status	1998/99			2008		
	Both Sex	Male	Female	Both Sex	Male	Female
Employed	98.2 (9463)	98.0 (4736)	98.3 (4727)	97.9 (11779)	97.8 (5519)	98.0 (6259)
Agriculture	76.1 (7203)	67.1 (3178)	85.2 (4027)	73.9 (8705)	62.1 (3429)	84.3 (5275)
Non- agriculture	23.9 (2260)	33.0 (1561)	14.8 (699)	26.1 (3074)	37.9 (2090)	15.7 (984)
- Formal	26.7 (603)	32.6 (509)	13.4 (94)	30.3 (932)	34.0 (711)	22.5 (221)
- Informal	73.3 (1657)	67.4 (1052)	86.6 (605)	69.7 (2142)	66.0 (1379)	77.5 (763)
Without regular paid employees	91.1 (1510)	87.7 (923)	97.0 (587)	81.7 (1750)	75.7 (1044)	92.5 (706)
With regular paid employee	8.9 (147)	12.3 (129)	3.0 (18)	18.3 (392)	24.3 (335)	7.5 (57)
Total formal	6.6	11.0	2.2	8.1	13.1	3.8
Total informal	93.4	89.1	97.7	91.9	86.9	96.2

Note: Figures in parenthesis indicates absolute number, the other figures percentages.

Source: Central Bureau of Statistics, Nepal Labour Force Survey, 1999 and 2009.

Among the various major occupations, service, craft and related trade, and elementary occupations posted a share of informal work of 92.3 percent in 1998/99. The situation in 2008 improved slightly, with total informal employment dropping to 89.6 percent (Table 2). During this period, female employment from elementary occupation shifted satisfactorily to other professional and technical occupations.

**Table 2: Share of informal sector jobs in the non-agriculture sectors by main occupation and sex (in %)**

Occupation	Total		Male		Female	
	1998/99	2008	1998/99	2008	1998/99	2008
Legislators, senior officials	0.4	2.7	0.5	3.4	0.2	1.4
Professionals	0.2	1.0	0.4	1.4	0.0	0.4
Technicians	2.5	2.2	3.5	2.8	0.7	1.3
Clerks	0.3	0.5	0.4	0.5	0.2	0.4
Service workers	27.5	36.2	28.3	32.5	26.2	43.0
Agricultural workers	0.7	0.3	0.7	0.4	0.8	0.1
Craft and related trade workers	29.9	37.0	32.8	38.4	24.9	34.5
Plant and machine operators	3.6	3.6	4.6	5.3	2.0	0.7
Elementary occupations	34.8	16.3	28.9	15.3	45.0	18.2

Source: Central Bureau of Statistics, Nepal Labour Force Survey, 1999 and 2009.

The proportion of self-employed in small business—that is, those who did not hire employees outside of the family—was slightly lower than half of the workforce in both the surveys, although during this period, the proportion of male self-employed declined while the proportion of female self-employed increased. Regular paid employees—those who have permanent status at work and enjoy all social security benefits—accounted less than 10 percent in the 1998/99 NLFs. However, there is a ray of hope as the proportion of such employees increased sharply during a nine-year period (1998/99 to 2008). However, the share of females working as irregular paid workers was extremely high in both the years, showing the vast gender discrimination in the world of work despite the slogan of equality.

The public sector is still the largest sector generating formal employment opportunities. In the private sector, the manufacturing sector is the largest organised sector of formal employment, but with the advent of globalisation, this sector is also being gradually informalised. Consequently, the limited formal employment provided by the private sector is further declining day by day. The non-registered private unorganised sector has been absorbing 68 percent labour force wherein workers' rights are nil, wages are mostly fixed by the employer themselves, and the jobs themselves are insecure. The situation of female workers is even poorer. Government and public corporations have adjusted, with informal workers comprising only a tiny 4.5 percent.

Looking at the change in informal employment during 1998/99 to 2008 (Table 3), we observed that employed labour force increased by 25 percent (21% in agriculture and 36% non-agriculture). Among the non-agricultural sectors, employment in the formal sector showed a remarkable change (55%) over the years, with significant (135%) change in the employment of females in this sector. However, the overall employment in this sector was still very low. Nonetheless, it is a positive development that the number of regular paid employees increased tremendously (167%) during this period, with the number of females in such jobs further increasing at a surprising 217 percent.

**Table 3: Change in informal employment, 1998/99 and 2008**

Status	Number ('000)			Percent (%)		
	Both Sex	Male	Female	Both Sex	Male	Female
Employed	2316	783	1532	24.5	16.5	32.4
Agriculture	1502	251	1248	20.9	7.9	31.0
Non- agriculture	814	529	285	36.0	33.9	40.8
Formal	329	202	127	54.6	39.7	135.1
Informal	485	327	158	29.3	31.1	26.1
Without regular paid employees	240	121	119	15.9	13.1	20.3
Regular paid employee	245	206	39	166.7	159.7	216.7

Source: Central Bureau of Statistics, Nepal Labour Force Survey, 1999 and 2009.

This case study focused on one segment of employment in the Nepali rural informal economy—*Kamaiyas*, the bonded agricultural labourers who totally depend on agriculture for their wages and who are (or whose ancestors) are on debt bondage to a landlord ("master"). *Kamaiyas* cannot work for or transfer to another landlord until he has paid his debt to his current landlord.

However, both the NLFS in 1998-1999 and 2009 did not include *Kamaiya* labour. Thus, cross-verification through NLFS is not possible.

## 2. METHODOLOGY

The '*Kamaiya*' system in Nepal's informal employment was selected for this case study. The abolition of the system was one of the 'robust' interventions of the General Federation of Nepalese Trade Unions (GEFONT), which aimed to bring informal, forced (almost slavery in many dimensions) labour practices under the legal purview.

This case study was prepared based on both primary and secondary information. Primary information was collected by using qualitative methods/approaches, such as focus group discussion (FGDs), key informant interviews, observation, and informal discussion, in all the districts where liberated *Kamaiyas* reside, focusing on two categories of *Kamaiyas*: Group A which is comprised of landless freed *Kamaiyas* and Group B composed of landless freed *Kamaiyas* residing in a temporary hut on barren land.

The secondary information was gathered from published and unpublished materials from various organisations and individuals.

### 3. ORIGIN OF THE *KAMAIYA* SYSTEM

Nobody could specify categorically when the *Kamaiya* system (bonded labour) originated; nor is any historical evidence regarding this available. Nonetheless, a number of facts that ascertain the reasons for its origin can be cited.

It has been argued that the *Kamaiya* system existed and was regarded as a profession long before the abolition of the slavery system<sup>4</sup>—a system such as *Jhara*, *Beth* and *Begar* (INSEC, 1992).<sup>5</sup> It was a completely feudal system, and people were forced to contribute their labour without pay. As in other feudal societies, such practices were remnants of slavery; however, it was further consolidated as a "tradition". This "tradition" later contributed to the reign of new types of slavery. After the enactment of the Land Reform Act in 1964, many landlords started to till their land themselves, hiring wage labour to avoid granting tenancy rights over their land to the tillers. As a consequence, the demand for wage labour increased rapidly, and the *Kamaiya* system was the cause of it, which is clear from the information recorded by the Agricultural Census of the Central Bureau of Statistics in 1961 and 1971.

Since long ago, the *Tharu* people had resided in the Dang Valley, but it is not known how, when, and from where they came and settled there. It could be due to the Muslim invasion Chittor in northern India, which forced them to flee northward in search for safe refuge, until they eventually settled there (see Stiller, 1993: 11). Some views suggest that during the time of the Islamic invasions in India, the *Tharu* people migrated from Rajputana to the tropical Terai jungle belt that now borders India and Nepal. The *Kamaiya* system developed within isolated *Tharu* communities to ensure an effective supply of labour.

Robertson and Mishra (1997) highlighted a century-long story: The *Tharus* developed largely self-sufficient communities in and around the jungles. They were left to develop in comparative isolation for many centuries. It is only during the last 100 years that they came into direct contact with neighbouring communities. But for the *Tharu* community, this contact has led to the terrible result of slavery (ibid).

---

<sup>4</sup> Initiated in 1924, the slavery system was officially abolished in 1926.

<sup>5</sup> The word *Jhara* denotes compulsory labour, generally unpaid, with such variations as *Beth*, which is compulsory agricultural labour, and *Begar*, which refers to compulsory labour in portage service.

Due to dire poverty, ignorance and extravagant spending habits<sup>6</sup>, the *Tharus* fell into the trap of bonded labour. Thus, they received barely enough food and clothing to ensure their survival; in exchange, the entire family had to work from dawn until dusk in the landlords' property. What food they received depended on the work of the *Kamaiya* couple. Their dependents were considered free labour. Ultimately, labour relations transformed *Kamaiya* into a new form of slavery, wherein thousands of *Tharus* became *Kamaiyas* for both *Tharu* and non-*Tharu* landlords.

The situation of *Kamaiyas* in Nepal, where 'land-hungry' immigrants come into the *Tharu* areas, is more or less the same as the situation of bonded labour in the Thana district in north India. In this district, when the *adivasis* (indigenous ethnic community) lost their land, they lost control over their means of production and became virtual slaves, forced to labour on behalf of the landlords. Debt forced them to serve as bonded labour, and they were charged extremely high rents and interest on consumption loans (Selener, 1997).

The Squatters Problem Solution Commission unearthed another push factor behind the *Kamaiya* practice in the western Terai. According to the Commission, Chandra Shamsheer abolished the slavery in 1926, and the released slaves were rehabilitated at Bhichhakhori (Amlekhgunj). But the slaves of western Nepal could not reach the place due to the problem of transportation. As a result, they began to raise their families at their own place by mortgaging themselves to their master for a limited amount of money. They could not repay their loans and were compelled to work as bonded labour in the master's agricultural fields (Government of Nepal-HMG/N, 1995: 3). Consequently, they became poorer and poorer. They also started to borrow money from the landlords to meet their increasing expenses, but could not repay the loans due to lack of surplus. Finally, they became *Kamaiya* (bonded labour) for the landlord. Similarly, the *Tharus* were compelled to borrow from the landlords while their property was lost due to natural calamities. But when they failed to repay their loans, they were compelled to work as a *Kamaiya*.

Highlighting the causes of engaging in the practice of *Kamaiya*, the report of the Squatters Problem Solution Commission explains that almost three-fifths of the *Kamaiyas* were compelled to be a *Kamaiya* to solve their hand-to-mouth problem, while one-fifth were forced into it due to failure to repay their loan. The other causes were migration (6%), to meet marriage expenses (3%), land sale (3%), natural calamities (2%), and fraudulent agreements of debt between debtor and creditor (1%).

---

<sup>6</sup> It is said that the indigenous *Tharu* were a "care-free" community. They were happy to toil, drink and have fun. To meet their "habitual routine", their land was eventually transferred to new landowners, and the *Tharus* were reduced to mere labour. They slowly acquired heavy loans due to rising interest rates. They converted to a form of labour (known as *Kamaiya*) initially in yearly contract.

## 4. CATEGORIES AND CONDITIONS OF *KAMAIYAS*

The *Kamaiya* system is mainly divided into two major categories: bonded and general. The former is comprised of *Kamaiyas* who are totally dependent on wages on agriculture. They are in debt-bondage, taking on the burden of their or their ancestors' debt. They could not change masters without paying their debts.

The other category—general *Kamaiya*—is further divided into two types. One is semi-freed, that is, a *Kamaiya* that is compelled to work for the landlord until he pays back some low, remaining debt or can sufficiently provide for his family's consumption. Semi-freed *Kamaiyas* can change masters if they wished. The other *Kamaiyas* in the general *Kamaiya* sub-category are those who have a small piece of land and *bukura* (hut), but who work as labour to feed their big family and make ends meet. Generally, these *Kamaiyas* stay with the land-master; however, they have the liberty to come back to their own house. They have a bit more bargaining power compared to semi-freed *Kamaiyas*.

The *Kamaiya* system is one of the most vulnerable bonded labour systems prevailing in Nepal since the last 50 years or so, especially in the mid and far-western Terai districts. They are in debt-bondage. The debt taken on by the *Kamaiya* is generally known as *Saunki*, and in some places, it is also known as *Bhota*, and it compels an individual or a family to work for the landlord from generation to generation as bonded labour. *Kamaiyas* have no right to work in other places without the permission of the landlord. Every year in *Maghi* (third week of January), they fix remuneration for the next year, but the terms and conditions are unilaterally fixed by the landlord, and no claim, terms and conditions of *Kamaiyas* are accepted because of their lack of any alternate source of livelihood.

Traditionally, a verbal contract between the *Kamaiya* and the landlord will take place during *Maghi*, the great festival of the *Tharu*. The *Kamaiyas* are employed for a year mainly through verbal contracts, but once they agree to serve as *Kamaiya*, they are treated as slaves. They have to do any type of work assigned to them by the landlords. The master can order, beat and abuse them; serve them no food; charge compensation for their absences due to sickness; set any kind of interest rate for their loans; earn wages by having them work as employees for others; ask them to do work in settings other than the 'initial unilaterally imposed conditions;' and force them to work for as long as 18 hours a day. The *Kamaiyas* do not receive any additional benefits for their hard work. The member of a *Kamaiya* family cannot seek jobs at other places without the permission of his master.

The *Kamaiyas* are bound to stay in a hut called *bukra* provided by the landlord throughout the year from the contract date.

Almost all *Kamaiyas* and their families are compelled to work more than 18 hours a day for very low remuneration. The wage system is more or less the same in all *Kamaiya* concentrated districts, with only slight differences. The *Kamaiyas* are usually given payment in kind (known as *Masyura*), mainly rice, which is about nine to 12 sacks of rice (each sack equivalent to 75 kilograms) per year. This is insufficient to meet the needs of an average family. In addition, they are given a portion of other grains, as well as salt, oil, etc., generally in proportions that are not enough to survive on. According to a discussion<sup>7</sup> with former *Kamaiyas* in 1973 in Kailali, few landlords actually paid the 12 sacks of paddy rice (1200 kg), oilseed, and 20 kg corn, without any consultation with the *Kamaiyas*. Thus, *Kamaiyas* are forced to take out a loan from the landlord, which further deepens the debt bondage of the former to the latter.

*Bigha* is another form of wage payment in the *Kamaiya* system. Some of the landlords provide a certain portion of land—generally five percent of the total land he cultivates—for the *Kamaiya* to plant and cultivate on in return for work done by his family. But generally speaking, the quality of land given to the *Kamaiya* is poor. Moreover, the *Kamaiya* is not allowed to cultivate it before finishing the cultivation of the rest of the landlord's land. As a result, production on the *Kamaiya's* land will be very low and of poor quality. In some places, the *Kamaiya* family is entitled to take *tikur* (one-third) or *chaurkur* or *chaumali* (one-fourth) of the total harvest from the landlord's land as their annual wage.

A study conducted by Shiva Sharma and R. K. Sharma (2001) for the ILO in 2001 highlighted that the daily, monthly and yearly wages of the *Kamaiyas* who had borrowed from the landlord are lower compared to the non-borrower labourers, even though the amount of debt may be low.

## 5. THE LEGAL FRAMEWORK PROHIBITING *KAMAIYA* LABOUR

The interventions against the *Kamaiya* system—especially those targeted toward *Kamaiya* families—started only after the restoration of multiparty democracy in 1990. After nearly a decade-long campaign to relinquish such practices, the government of Nepal finally acknowledged the form of debt-bondage that existed in the country. An initiative was made to end the prevailing *Kamaiya* forced and bonded labour system in five districts of western Nepal (i.e. Dang, Banke, Bardiya, Kailali and Kanchanpur). As a result, the *Kamaiya* Labour (Prohibition) Act was promulgated in 2002. It should be noted that Nepal ratified the ILO Convention on Forced Labour (No. 29) in January 2002 and later the Convention on the Abolition of Forced Labour (No. 105) in August 2007.

---

<sup>7</sup> Based on interviews with PC Upadhyaya, Suntali Chaudary and Bhakta BK in 2014.

It is worthwhile to mention that, given that GEFONT is a major partner in the *Kamaiya* liberation movement, it played a key role in the introduction of the *Kamaiya* Labour (Prohibition) Act. There is a provision in the Labour Law 1990 that if any law concerning labour is created or amended, union representation is mandatory. This granted GEFONT the right to be a one of the participants in the drafting of the *Kamaiya* Labour (Prohibition) Act.

### 5.1 The *Kamaiya* Labour (Prohibition) Act of 2002 and its limitations

This Act was enacted to provide a legal back-up for the freed *Kamaiyas*. The *Kamaiya* workers, defined by the Act, are those persons who provide *Kamaiya* labour such as *Bardikar*, *Bhaiswar*, *Gaibar*, *Chhegarbar*, *Haruwa*, *Charuwa*, *Hali*, *Haliya*, *Gothala*, *Kamlariya*, *Bukrah*<sup>8</sup> or under other similar systems. The 2002 Act stipulated, among others, the following:

- All persons working as *Kamaiya* workers at the time of the commencement of the Act shall be freed.
- No person shall keep *Kamaiya* labourers after the enactment of the Act.
- *Kamaiya* workers need not repay the *Kamaiya* loan (*Saunki*).
- The bond or agreement (written or verbal) relating to the *Kamaiya* loan shall be cancelled.
- Any property obtained by the creditor as a mortgage/security while supplying *Kamaiya* loans must be returned to the concerned person within three months from the date of enactment of the Act.
- A defaulter should pay a fine ranging between NRs<sup>9</sup>15,000 to NRs 25,000 to the government. He should also pay a worker double the amount of minimum wages fixed under this Act for each day of compulsory or forced work. Those who fail to return mortgaged property shall pay a fine of NRs 10,000 to 15,000 along with the property. Those who employ a person without pay or with a pay lower than the minimum wage shall pay a fine of NRs 1,000 to 3,000 and double the amount of the minimum wage for each day of work to the worker concerned. In the case of a person holding a public post, the amount of penalty will be double the normal one. The same is applicable to a defaulter who acts in contravention of the Act more than once.

The *Kamaiya* Labour (Prohibition) Act had the single aim of eliminating the *Kamaiya* system. However, there are still various lacunas in the Act regarding the elimination of other exploitative forms of labour practices akin to the *Kamaiya* system. These practices are scattered in various parts of the country. The Act seems more progressive in favour of *Kamaiya* but its implementation is very weak, so the defaulters of the Act are not hesitant to continue the *Kamaiya*

---

<sup>8</sup> *Bardikar* is ox-herder; *Bhaiswar* is buffalo-herder; *Bukrahi* is a woman working the bukura; *Gaiwar* is cow herder; *Chhegarbar* is goat-herder; *Haruwa/Charuwa/Gothala* is cattle-herder; *Hali/Haliya* is ploughman; and *Kamlariya* is a female *Kamaiya*.

<sup>9</sup> USD 1= NRs 99.73 as of February 1, 2015.

system, albeit in new forms. One of the major causes for the poor implementation or non-implementation of the provisions/laws related to the bonded labour system is that most of the policymakers and high-level bureaucrats benefit from this practice and resist going against their class interest.

The failure in implementation is also caused by insufficiency of administrative and legal mechanisms. The following are the major reasons behind the failure in eliminating bondage practices:

- The laws relating to bondage are incomplete and unsynchronised.
- The laws and interventions do not sufficiently address the socio-economic causes of the bonded system and practices.
- The major defect in existing laws is the lack of a clear definition of bonded labour itself. An appropriate and standard definition of bonded labour based on the national condition and international practice is essential in identifying the bonded for their release and rehabilitation.

Because of these realities, pressure and mobilisation have become the only reliable factors in the fight against bondage in various forms. Recently, some *Haliyas* working in the western hill districts have been rescued from bondage after their appeal in the District Administrative Office. Cases such as these are not many, however.

## 5.2 The *Muluki Ain* (Civil Code)

The 1964 *Muluki Ain* also includes provisions against the practice of forced labour. The chapter on Wage and Remuneration prohibits forced and bonded labour without one's consent. The *Ain* also specifies that remuneration or wages for labour can be fixed by mutual agreement or consent; and in absence of such an agreement or consent, the remuneration is to be paid according to the usual social practices and rates. The *Ain* also has a provision for real-wage compensation to the worker in the case of a denial to provide a reasonable wage. Section 3 of the Chapter on Human Trafficking Prohibiting, Serfdom, Slavery, and Bondage stipulates three to ten years of imprisonment against the violator. Likewise, Section 3 authorizes courts to order compensation of reasonable amount of money. It also provides a penalty for accomplices, which could be as much as half of the penalty incurred by the principal violator.

## 6. GEFONT'S FIGHT AGAINST THE *KAMAIYA* SYSTEM

Initially, GEFONT was not quite clear about what the *Kamaiya* system was, and neither were the political parties. The local party leaders argued that the *Kamaiya* system existed because of the shortage of labour.<sup>10</sup> Their view was that the system itself was a long-term contract, not the bondage. However, the facts and reality on the ground did not match this view. As the non-government organisation Informal Sector Service Centre (INSEC) reported in 1992, the *Kamaiyas* work under slavery-like conditions. They are bonded labourers. As an example, during every *Maghi*, the *Kamaiyas* were purchased and sold by their masters. One master would pay the *Saunki* of a particular *Kamaiya* if he liked him. Thus, during every *Maghi*, a *Kamaiya* might change his master by transferring *Saunki*. He does not have a right to mobility, and his labour does not count for any type of wage or benefits.

The situation drew GEFONT's attention, especially considering that the importance of organising rural workforce specially related to agriculture in Nepal was linked to breaking the continued status quo in traditional socio-economic relations. This status quo was based on heavily exploitative practices in society. As mentioned earlier, the *Kamaiya* system was a throwback from medieval ages of history.

Thus, GEFONT initiated a campaign that targeted the *Kamaiya* system. In its Second National Congress in 1996, GEFONT decided to launch its initiative entitled Kamaiya Liberation Forum-Nepal (KLFN) in order to liberate the bonded *Kamaiya*. It was GEFONT's initial step in starting a new organisation.

### 6.1 The establishment of FAWN and FAPWUN

Along with this, GEFONT also adopted a plan to form a federation for agricultural workers (later known as the Federation of Agricultural Workers, Nepal or FAWN) for tillers, cattle herders, and casual labourers, as well as another federation for agriculture farm labourers toiling in modern agricultural farms. An umbrella for these three groups, together with the separate federation for plantation workers, was to be developed within GEFONT as the most powerful network of agriculture and plantation workers. Based on this conclusion, GEFONT started a move for the

---

<sup>10</sup> It was in 1990, just after the restoration of multiparty system in the country, that two leaders of an NGO called Informal Sector Service Centre-INSEC (Mr Sushil Pyakurel, who later became one of the founder commissioners of National Human Rights Commission; and the late Prakash Kafle, who was unfortunately killed in the Thai Airways International's plane crash in 1993) voiced the existence of bonded labour in the western plain district of Nepal. At that time, Nobel Peace laureate Mr. Kailash Satyarthi was launching a movement in India under the banner of Bonded Labour Liberation Front. Initially, GEFONT didn't believe on the existence of the *Kamaiya* system in Nepal, considering it as a mere imitation of the movement launched by the Indian activist Kailash. However, after publication of a detailed research report by INSEC, it was revealed that INSEC's claim was right and GEFONT's impression was wrong. Thus, GEFONT decided to work together with other social movements, especially INSEC, to get rid of the bonded forced labour system in Nepal.

unionisation of all types of agricultural labourers. It was the first move of its kind not only in Nepal, but also in the entire South Asia.

There was a general practice of labelling all agricultural workers as "peasants." Ironically, even the landless squatters were recognised as "landless-peasants." Wages, benefits, and the freedom of these working poor were overshadowed by a "land to the tiller" rhetoric. (It was widely accepted by all leftist politicians.) In such a situation (May, 1996), the Federation of Agricultural Workers, Nepal (FAWN) emerged in GEFONT's design to cover all scattered agricultural workers in the villages. Hence, all agricultural workers, except those in tea plantations, began to unionise under FAWN. In mid-September 1996, GEFONT organised the first national gathering of agricultural workers, wherein issues of agricultural workers were discussed for the first time. The experience was unique for the unionists from the formal sectors, such as manufacturing and services, and brand-new for GEFONT as well.

This endeavour invited plenty of argument and controversy. Some "revolutionaries" put this process in a derogatory light—"Ha! What is this? Nepali unionists are losing direction by shifting from the industry sector to the rural petty-bourgeoisie world!" Nevertheless, the Kamaiya Liberation Forum-Nepal (KLFN) developed very quickly through a very dense network among the villages of the concerned five western districts of *Terai*. It was later merged into FAWN when the *Kamaiya* liberation was declared on July 17, 2000.<sup>11</sup>

Argument and counter-argument continued, but GEFONT was successful in convincing researchers that these workers were not peasants but bonded labourers. Thus, the intellectuals and academics also started to view them differently.

Although GEFONT devoted equal effort to all three segments<sup>12</sup> of agricultural workers, in the beginning, it made the *Kamaiyas* its first priority. To begin a mobilisation with liberation as its aim, three conditions were presented to the land-masters:

1. *Bukura kaayam gariyos* (grant ownership to the hut where the workers are residing);
2. *Saunki minaha gaeiyos* (waive all debt-creating loans); and
3. *Jyaalaa nirdharan gariyos* (fix and ensure minimum wage).

<sup>11</sup> *Kamaiyas* of both categories—bonded and general—used to think that they could not change their fate, and that they were born to be *Kamaiya*. Even educated and conscious persons were of the opinion that *Kamaiyas* were not workers but peasants, and that trade unions and NGOs were making too much of their plight. In their opinion, it was an issue raised without sufficient understanding of the problems of agriculture and the practices of society. For instance, during the drafting of the Human Development Report of Nepal by UNDP in 1998, in the chapter on work and employment, researchers and intellectuals debated on the issue of the *Kamaiyas*, saying that the *Kamaiyas* are not bonded labourers but peasants, and as such their situation should not be discussed in terms of trade unions and workers' rights (Upadhyaya, 2014).

<sup>12</sup> The GEFONT 2nd National Congress held in early 1996 concluded with the recognition of the need to develop the KLFN for bonded *Kamaiya* workers, the FAWN for tillers-cattle herders-casual labourers, and the Nepal Agriculture Farm Labour Union (NAFLU) for workers in modern agricultural farms. These are the three major segments of agricultural sectors in Nepal.

With this, GEFONT started to unionise in order to make the *Kamaiya* free agricultural workers. An educational campaign on the *Kamaiyas'* struggle for freedom, *bukura* (hut ownership) and wages was launched. A banner slogan was created: "*daas laai garib banaun*" (Convert slaves into the free poor). The movement was named Appeal Movement in the *Kamaiya*-prone districts. The campaign appealed to rich farmers and landlords to free their *Kamaiyas* by fulfilling the three abovementioned demands. The movement advised landlords that, should they voluntarily relinquish their *Kamaiyas*, they would be publicised as *Humble Citizens*.<sup>13</sup> Their picture would be placed in a campaign poster glorifying their good initiatives. If they refused, they might have to face possible consequences. At the time the Appeal Movement was initiated, the violent insurgency being waged by the then Maoist rebels was gaining momentum. The union warned the land-masters not to compel *Kamaiyas* to go down the violent route. Thus, GEFONT suggested they choose to either transform themselves into a *Humble Citizens*, voluntarily granting freedom and wages to the *Kamaiyas*, or to face stern action possibly from the insurgents. Obviously, the latter would be a painful outcome for them.

After decades of tireless intervention, the day finally came. A total of 19 *Kamaiyas* of the Geta Village Development Committee (in the districts of Kailali), who worked for a land-master, Shiv Raj Pant (a former minister of the first elected parliament of the country in 1957), made their move in July 2000. They filed a case against their master, demanding freedom and wage compensations. It was a last-ditch effort in the struggle, and in the beginning, no one had noticed the importance of this action. They then picketed the Singh Durbar (the main administrative building including prime minister's office) in Kathmandu. GEFONT's activists, in association with *Kamaiya* Concerned Group partners (i.e. NGO/INGO and other civil society organisations working to abolish the *Kamaiya* system), started to send other *Kamaiyas* together with these 19 *Kamaiyas*. The *Kamaiyas*, numbering a total of 172, arrived in Kathmandu and sat on the picket line. This was enough to attract the attention of the public. A nearly week-long series of protest rallies was organised. Even with the arrests and subsequent releases of some of the protesters, the movement continued for three days. Finally, on 17 July 2000, through a Resolution of Commitment in Parliament, the Cabinet declared freedom of *Kamaiyas*. The government further prohibited every type of bondage with assurance of designing a new law against use of bonded labour.

In short, before the declaration of *Kamaiya* liberation was achieved, *Kamaiyas* had to go through several difficult hurdles such as physical violence, and the rigors of petitioning and protesting, including hunger strikes, mass rallies, lobbying, networking, etc. These struggles resulted in the enactment of the *Kamaiya* Labour (Prohibition) Act in 2001.

---

<sup>13</sup> The Nepali terminology '*sammanit nagarik*' is literally translated into 'humble citizen' here. Its interpretation is 'role-model'. The campaign was meant to encourage land-masters to release *Kamaiyas* from slavery.

Ms. Shanta Chaudhary, a former *Kamlahri*<sup>14</sup> and former Member of Constituent Assembly (Legislature-Parliament), recalls:

*Oh! I was at the landlord's house. My husband was Kamaiya and I was Kamlahri. We were very happy hearing the news from villagers. However, it took nearly three years for us to become free. In a real sense, I became free from the position of Kamlahri only in 2006.*<sup>15</sup>

In organising the three segments of agricultural workers, the GEFONT 2nd National Congress came to the conclusion that a long-term vision of creating an umbrella federation of agriculture and plantation workers, including the existing union of tea plantation workers, was needed. Based on this conclusion, GEFONT started a movement toward unionising. Thus, FAWN emerged in GEFONT's design in 1996, covering all the agricultural workers of the scattered villages.

It is very difficult to reach out to *Kamaiyas*. Discussing their problems and issues in organising could only be done in the middle of night, when they were already exhausted from working all day. GEFONT's organisers often felt sorry when they had to sit and talk with the poor, tired *Kamaiya*. Spurred by their hope for freedom and the possibility of a better life, however, they willingly spent time listening to the union organisers.

Modern farm workers numbered in the few thousands made it impractical maintaining their separate union. The government's own agricultural farms did not implement the minimum wages declared by the government itself, based on the tripartite decision. Still today, there are problems in the minimum wages of government agro-farms. As such, the Nepal Agriculture Farm Labour Union (NAFLU) did not grow as expected, and its members later joined FAWN instead. The KLFN developed very quickly, having very dense network in villages of the five western districts of Terai. However, GEFONT later merged the KLFN into the FAWN when liberation was declared in July 2000. Since the *Kamaiyas* were converted into agricultural labourers, there was no sense in keeping the KLFN. There were no differences between the two except in the level of understanding between ex-*Kamaiya* and general workers, and so GEFONT did not think it necessary to have a separate wing for the *Kamaiya* inside FAWN after their liberation.

In December 2014, GEFONT further consolidated the agricultural sector union as envisioned in 1996. The Federation of Agriculture and Plantation Workers Union of Nepal (FAPWUN) was launched by merging two powerful unions, the FAWN and the Tea-Plantation Workers Union of Nepal (TPWUN).

---

<sup>14</sup> *Kamlahri* are the women who are related to a *Kamaiya*, either as wife or mother or sister, and who used to work for no wages and just very little payments in kind in the form of additional grains given to the *Kamaiya*.

<sup>15</sup> Chaudhary made the quoted remarks when she became a member of the Constituent Assembly in 2009.

## 6.2 Partnership between GEFONT and NGOs

In those days in western Nepal, there was a flood of non-government organisations (NGOs) working on the *Kamaiyas*' situation. The *Kamaiyas* were like "hot cakes" to all donors. The major activities of such NGOs were mostly organising seminars and workshops. These types of programmes would not liberate the *Kamaiyas* from bondage, as GEFONT concluded. In addition, bringing together all the actors claiming that they were working for liberation of *Kamaiyas* was also a challenge. Realising this, GEFONT proposed a joint work and tried to explain its effectiveness. As an outcome, the *Kamaiya* Concerned Group (KCG) was formed. Nearly 40 organisations were involved in this mechanism. Among them were: from the trade unions, only GEFONT; from the NGOs, INSEC and Rural Reconstruction, Nepal (RRN); and from international NGOs, Danish International Development Agency (DANIDA), PLAN International, Lutheran World Service, etc. The following are the objectives behind the formation of the KCG:

- To ensure flow of information among the KCG members about their plans and actions;
- To coordinate and organise—a task fulfilled by GEFONT—mass mobilisations as part of the movement; and
- To assist in the rehabilitation of the *Kamaiyas*, including livelihood and other support.

There was duplication in work and unnecessary competition among such organisations. There were also many divergent perspectives on the liberation and rehabilitation of the *Kamaiyas*. Some of these organisations believed that merely providing income-generating tools would liberate the *Kamaiyas*, whereas some were adamant that only human rights education and right-based awareness would bring about liberation. In total, a kind of utopian "propaganda" reigned over the *Kamaiya* liberation movement:

*There will be free land and a place to stay as provided by the State. There will be a good colony of all freed Kamaiyas, where in the midst of their community their kids will be able to play. The children will attend an English-boarding school constructed at a corner of the colony, and their parents will earn from the different types of skills they gained from the income-generating programme. They will find work, from bicycle maintenance, to hair-cutting salons to piggery farming...*<sup>16</sup>

To address such problems, a new plan was formulated. In order to solve the duplication in work, jobs were distributed based on the actors' area of specialisation. For instance, mobilisation was delegated to GEFONT. On the other hand, the remaining tasks, including non-formal and formal education for the children, adult education, awareness-raising including human rights education, income generating programmes, vocational training, health care, research and planning, and others, were distributed among the other actors. A basket fund was

<sup>16</sup> Expressed by the participants during a focus group discussion in 2014.

created for the KCG campaign where all concerned international NGOs were asked to put their contributions in collectively. The Ministry of Land Reform of Government was also made a partner in mobilising these activities.

## 7. THE LIBERATION OF *KAMAIYAS*

### 7.1 The transition period (2000-2002)

With the Nepali government's declaration in July 2000 making the practice of bonded labour system illegal, all bonded *Kamaiyas* were immediately freed from their *Saunki* (debts) and previous contracts with their landlords, whether written or oral. However, the third and major demand of *Bukra Kayam Gara*, granting ownership of the huts where they were residing, was ignored. Nonetheless, the *Kamaiyas* were celebrating their freedom and sharing their joy among themselves. They understood how beautiful freedom was. Perhaps they were comparing freedom with slavery under the *Kamaiya* system.

Following the liberation, the government declared that anyone who defied the decree and continued *Kamaiya* labour practice would be sentenced with three to ten years in jail. To monitor the enforcement of the declaration, a high-level *Kamaiya* Identification and Monitoring Committee was formed. The Deputy Prime Minister headed this committee; in five *Kamaiya*-prone districts, the Chairman of the District Development Committee (DDC) led the committee in respective districts. The committees were given responsibility of identifying and rehabilitating the recently liberated *Kamaiyas* (MLR&M, 2000). In addition to government agencies, various national and local level NGOs and international NGOs, including the Red Cross, rushed in with temporary relief packages, although these were not enough for the *Kamaiyas'* needs.

The government announced its commitment to take the necessary steps toward the settlement, education and employment of the freed *Kamaiyas*. However, this proved to be ill-informed and premature, as the problem of rehabilitation had yet to be settled completely.

Neither the previous landlords nor the liberated *Kamaiyas* were ready to work together to create a new arrangement, and the relationship between them was tense. All of sudden, an issue that had been previously overlooked came to light: What work 'skills' did the *Kamaiyas* have? The *Kamaiyas* were agricultural labourers, but no viable alternative means of livelihood prepared for them. The freed *Kamaiyas* began to question why they should continue to work the land, given that they have already won their liberty. On the other hand, the landlords, despite the labour scarcity they were confronted with, were in no mood to employ the freed *Kamaiyas* again as wage labourers. They were more interested in sending a stern message to the *Kamaiyas*—how difficult the free life is.

Many 'angry' landlords took revenge on the *Kamaiyas* by forcing them away from the area. Some landlords threw the *Kamaiyas'* belongings out of their *Bukra*, while others confiscated all the goods that the *Kamaiyas* had. With the landlords

pushing them out, *Kamaiyas* began crowding into the local government compounds—the District Development Committee (DDC) and Village Development Committee (VDC). Freed *Kamaiyas* scattered hither and thither searching for jobs; some of those who failed to find other sources of livelihood returned to their landlords. Many of them spent their months of freedom living in filthy camps, facing sickness and the lack of the bare necessities of survival. Meanwhile, *Kamaiyas* who had not heard about the *Kamaiya* liberation kept on working for the same land-master even after the government's declaration.

Thus, during the transition between liberation and the beginning of rehabilitation (2000-2002), *Kamaiyas* passed their days and nights searching for work and living in an open area that was muddy during the rainy season and dusty during the winter, completely at the mercy of the wind and rains. In addition, bonded child-labour increased significantly. Under the new forms of contracts, the freed *Kamaiyas* were compelled to send their children to the landlord's house without pay. As a result, many children were seen working at the landlords' house, as well as small teashops and restaurants. The number of street kids also increased in bazaars and big cities, where they were eventually converted into mainly domestic servants. It is one of the major tragedies in the quest for the *Kamaiyas'* freedom that in many cases, this has not meant freedom for their children (Lowe, 2001).

After nearly six months in an untenable situation, the freed *Kamaiyas* were forced to declare a new agitation under the banner of the *Kamaiya* Liberation Struggle Mobilization Committee (KLSMC) and *Kamaiya* Liberation Action Committee (KLAC), of which FAWN-GEFONT was obviously one of the active components. Their demand was the effective implementation of the government's promises. This agitation resulted in the promulgation of the *Kamaiya Labour (Prohibition) Act, 2002*, which prohibited all types of bonded labour. Unfortunately, however, this hard-won law came with a narrow scope: It is applicable only in five western Terai districts of Nepal. If *Kamaiya*-like labour relations are prevailing in any other part of the country, it would be another battle to fight again.

Needless to say, in every action, agitation, and movement from the pre-liberation to the post-liberation and rehabilitation periods, there was visible involvement by GEFONT and its affiliates, KLFN and the FAWN. Although happy that its slogan, '*make slave a free poor*,' was finally realised, GEFONT was very much worried about how to lead the 'free slaves' from precarious vulnerability to a secure future.

## 7.2 The process of rehabilitation

With the household list of 18,400 *Kamaiyas*, the government started the process of long-term rehabilitation. The Ministry of Land Reform and Management (MLR&M) had divided the total number of *Kamaiya* families into four categories: Group A comprised landless freed *Kamaiya*; Group B, landless freed *Kamaiya* residing in a temporary hut on barren land; Group C, freed *Kamaiya* with house

and less than 0.068 hectares of land; and Group D, freed *Kamaiya* with house and more than 0.068 hectares of land.

In total, 43.6 percent, 29.5 percent, 10.2 percent, and 16.7 percent belong to categories A, B, C and D, respectively. After identification, the government provided identity cards in different colours—red, blue, yellow and white for A, B, C and D, respectively. Among the 13,461 landless *Kamaiyas*, 12,019 families received 0.017 to 0.169 hectares of land at different places in the five districts. Besides land, the government also committed NRs 10,000 for the construction of houses for those rendered homeless; however, this provision was hardly met.

After continuous pressure from the victims themselves, as well as from different social actors including trade unions, the government prepared another list of the landless, freed *Kamaiyas* left out of the first list. However, the process has seen no end to date. The main reason for this is the focus on dragging *Kamaiyas* out from their land-master's house, instead of addressing the third demand of the movement (*Bukra Kayam Gara*-Ensured hut where they were residing). The government failed to understand the logic behind this slogan—that the *Kamaiya* system was very much connected with working in agriculture. In Nepal, a tiller who has worked for a certain period in the field of a mid-earning peasant gets a 50 percent share of land if either party wants to disassociate from the work contract. The *Kamaiya* who has been toiling and living from generation to generation in the same place received nothing; he was simply asked to leave his rightful home as part of the price of liberation.

One interesting loophole is that the *Kamaiyas*, while freed, became as poor as landless squatters. As the government began preparing a roster of "left-out" *Kamaiyas*, new faces along with their families appeared. They were perhaps not *Kamaiyas* but poor, landless squatters from the same ethnic (*Tharu*) group, who are not under bonded labor arrangements.

After freedom was granted to the *Kamaiyas*, the next step was to integrate their issues with those of the country's poor, who comprised around 40 percent of the population. Soon after the rehabilitation process was completed, it was expected that the lone programme for the rural poor would be enough to handle issues including those of the *Kamaiyas*. Ironically, non-*Kamaiya* poor from the same ethnic group swamped the government offices. Using fake identities, they registered themselves as freed *Kamaiya* and waited for rehabilitation. This prolonged the rehabilitation process, essentially turning it into a never-ending game.

During the initial counting, many *Kamaiya* families did not receive the information, whether wilfully, or due to misunderstandings of its purpose and importance. During the second counting, landlords obstructed the registration process out of fear that if they confirmed their *Kamaiyas*, they would have to provide them land. During the third counting, only the married males and females among the *Kamaiyas'* adult offspring were considered family. During the declaration of liberation, the *Kamaiyas'* children became adults and had their own

families when the third counting took place. The population census of Nepal defines family as those 'who eat together in one kitchen' regardless of the number of actual family members. At the time of *Kamaiya* liberation, in one *Tharu* family, there were nearly three to four times more family members than in the national average family size of five. Their growing awareness of their rights as *Kamaiya* offspring also contributed to the ever-increasing numbers of *Kamaiya* families.<sup>17</sup>

In 1996, the total number of targeted *Kamaiya* families was calculated at 15,152. In August 2000, the recorded number turned out to be 18,400. In July 2002, the recorded number rose to 32,509 (Table 4).

**Table 4: Change in number of *Kamaiya* families over the years<sup>18</sup>**

District	March 1996	August 2000	July 2002	Change in the number of families (1996-2002)
	Family No.	Family No.	Family No.	
Dang	1856	1166	1426	-430
Bake	1060	1345	2316	1256
Bardiya	5037	6949	14499	9462
Kailali	5557	5895	9762	4205
Kanchanpur	1642	3045	4506	2864
Total	15152	18400	32509	17357

Source: Annual Report 2014, Free *Kamaiya* Rehabilitation and Livelihood Development Program, GoN.

Nearly one and half decades since the elimination of the *Kamaiya* system, 15 percent of the *Kamaiya* are nowhere to be found. It is indicated that more than 15 percent have still not received government assistance as mentioned in the annual report, despite the government classifying the programme as a priority.

The government stressed that it was more focused on raising the level of employment of the freed *Kamaiya* families through skills development, users-group formation, creation of a revolving fund, group-saving mobilization, and food-for-work programmes, etc. However, its coverage was also too low, and its utilisation aspect was weak.

It is crucial to know what development interventions were so far implemented. A long list of interventions was generated during appeal movements, including such things as advocacy, awareness raising, non-formal education, vocational and formal education, provision of water supply, toilet construction, skill

<sup>17</sup> Discussion with key informants, PC Upadhyaya, Suntali Chaudhary and Bhakta BK, in 2014.

<sup>18</sup> There is no more data published by any authority after this.

development trainings, income generation activities, etc. These interventions are discussed in the next section.

## 8. THE IMPACT AND OUTCOMES OF THE INTERVENTIONS

There is still pressure to expand the list of left-out *Kamaiyas*, and this is largely due to a desire to benefit from land distribution and targeted interventions. And it is likely that the rising number of new claimants may further complicate the *Kamaiya* rehabilitation problem. It is worthwhile to mention that during the post-liberation period, the *Kamaiya* began to divide their joint family into nuclear ones. They had been provoked by various elements of society, including the then Maoist rebels, saying that all families would get a piece of land and subsidies from the state. This encouraged the youth to get married early so as to identify themselves as a new family, further complicating the process.

Thus, of the total 18,400 liberated *Kamaiya* households, only the landless *Kamaiyas* who fall under the categories A and B became the main target of interventions. The other categories who were given a piece of land and a hut were not addressed, and there is a lack of information as to how these households have featured in terms of labour relations and socio-economic performances. The following sections aim to look at the changes that have occurred among the targeted *Kamaiya* households as a result of the interventions.

### *Fulfilment of basic needs*

All former *Kamaiyas* reported that they own a house, although this differs from family to family. Former *Kamaiya* households with toilet facilities have also increased immensely in number as awareness of the importance of sanitation increased. Targeted interventions had tied drinking water supplies with housing with toilets. The availability of potable water is another major basic need targeted by the interventions. Water was made accessible to all households, thus considerably reducing the average time it took them to fetch water.

### *Education*

The number of illiterate *ex-Kamaiyas* has decreased remarkably. It is estimated that GEFONT alone provided some 10,000 *Kamaiya* non-formal education. The NGOs such as INSEC had gone even further: They launched non-formal education, adult education and formal schooling for the *Kamaiya* children. Female members of *ex-Kamaiya* families have benefited more from informal education programmes than their male counterparts. A major concern of the interventions was to send all school-age children, ages 6 to 17, to school. These programmes seem to be gaining positive results as the percentage of the children attending schools has increased tremendously, as many of the rehabilitation centres have schools. It can also be noted that the lower the age groups of the children, the

higher their chances to attend schools. The reason behind this is that adults prefer to join the job market rather than school.

#### *Health*

Programmes for the *ex-Kamaiyas* and their families also emphasised health and sanitation awareness. Majority of them saw improvements in their family health situation. The interventions, including immunization and other services, have reached all *Kamaiya* family members. This is a general trend, according to a key informant interviewed by the researcher sometime in 2014.

GEFONT initiated a health micro-insurance scheme, launched on March 2, 2004, targeting agricultural labourers in association with the ILO Strategies and Tools against Social Exclusion and Poverty (STEP) programme. It ran smoothly, with workers getting insured at one of the regional hospital along with two public health posts in villages. The workers' entire families were included in the group insurance, and they even contributed a tiny sum as premium for their family. Unfortunately, the Maoist insurgency flooded it out, and even after the period of the Comprehensive Peace Accord, the micro-insurance scheme could not be revived.

#### *Land ownership and economic condition*

Land was distributed to all available<sup>19</sup> *ex-Kamaiyas* belonging to categories A and B. At the time of writing, 97 percent of *ex-Kamaiyas* have received land, from 80 percent in the beginning. Based on discussions with key informants held in 2014, the *ex-Kamaiya* themselves perceived that their income level improved after interventions. It is also notable that nearly one-fourth felt that their economic situation has declined over the years. According to a key informant, many of them who got land during rehabilitation mostly received marginal land. In some cases, the land was given on paper only. The *Kamaiyas'* land was either washed out by river floods or bisected by roads. Others faced different types of problems, such as cases when emergency treatment was needed or jobs were hard to find. Some *Kamaiyas* were forced to mortgage their land or sell it, even though no *ex-Kamaiya* can legally sell the land they receive. However, they express satisfaction with the present condition, which they perceive as far better than their condition under the *Kamaiya* system. Most importantly, they appreciate and acknowledge their freedom.<sup>20</sup>

#### *Occupation*

Majority of adult *Kamaiya* family members were working in agriculture on a daily-wage basis, while a few were still on a long-term wage basis. A reasonable proportion of the family members have shifted from agriculture to non-agriculture occupations on a wage basis. Similarly, some were working as domestic workers within and outside the village; there was a higher number of females working this profession. Comparison shows that the number of *ex-*

---

<sup>19</sup> Those who identify themselves within the stipulated time-frame.

<sup>20</sup> Based on a discussion with key informants in 2014.

*Kamaiyas* working on a long-term contract is decreasing slowly while that of non-agricultural wage labour is increasing.<sup>21</sup> There has thus been a shift in employment relations after liberation. According to some key informants, after the liberation, the nature of their employment had not been confined in agriculture alone.<sup>22</sup> They had to do whatever odd jobs they could get their hands on. Sometimes, they worked as brick factory workers. On other occasions, they went to India to work as apple-pickers, or sometimes as road construction workers, etc. The nature of their work is constantly changing.<sup>23</sup>

#### *Working hours and wages*

*Kamaiyas* who are working on daily-wage basis are working more than eight hours, as stipulated in labour legislation. On an average, they are getting more than the minimum fixed wage declared by the government, while females are getting less than what their male counterparts receive for the same amount of work.

According to a discussion with key informants:

At the time of the *Kamaiya* system, only the adult couple could get *Masaura* (allowance for survival in kinds) as payment for the work of their entire family. All the family members had to work under the command of landlords from dawn until dusk, but no other family members' labour was counted as deserving of any payment. Taking inflation into consideration, even their real wage at present is higher than it as under the *Kamaiya* system. All family members could engage in available work and receive payment. If one calculated the earnings of all family members, in terms of real wage, this is far greater than that of the *Masaura* they received during the *Kamaiya* system.<sup>24</sup>

GEFONT and INSEC decided to work together to ensure that agricultural workers receive the minimum wage. GEFONT started to declare minimum wages in Village Development Committees (VDC) through the decision of the elected representatives of the VDC board. The first VDC board to declare minimum wage of NRs. 60, was the Naubasta VDC of the Banke district. In November 1997, the Naubasta VDC declared that the minimum wage was applicable within its territory. Following this declaration, a public programme on the minimum wage was organized, with the Chief District Officer, Land Reform Officer, police officers, political parties, social organizations, and GEFONT representatives, as well as landowners and agricultural workers, as the participants. Wherever workers were more organized, the wages declared were implemented, and where the organization was weak or absent, the wages could not be implemented.

---

<sup>21</sup> Central Bureau of Statistics (2009) reported that during the last nine years the currently employed population in the non-agricultural informal sector grew by 29.3 percent.

<sup>22</sup> Based on discussions with key informants, PC Upadhyaya, Suntali Chaudhary, and Bhakta in 2014.

<sup>23</sup> Based on discussions with key informants, PC Upadhyaya, Suntali Chaudhary and Bhakta BK in 2014.

<sup>24</sup> Based on a discussion with key informants in 2014.

### *Unionisation*

Unionisation was one of the more satisfactory parts of the campaign. As a national pioneer, GEFONT initiated expanding the union for all types of agricultural workers. During the registration of FAWN, which drew membership from the *ex-Kamaiyas*, its membership rate was high—more than 76,000—of which roughly above 50 percent were *ex-Kamaiya*.

As experience showed, no matter what the context was—whether slavery-like conditions or an atmosphere of freedom—unionising scattered agricultural workers was not an easy job. In bondage conditions, it was hard to reach these workers as the masters themselves were the main hurdle. The workers were even unaware of what a free society was. However, after they were liberated, their mobility became so fluid that it became hard to reach them all, especially those working in organised industries and service workplaces. In recent years, there have been some other unions affiliated with Nepal Trade Union Congress (NTUC) and All Nepal Trade Union Federation (ANTUF) (both are affiliates of the International Trade Union Confederation). Neither of these were part of the *Kamaiya* liberation movement. NTUC was not involved in liberation movement, while ANTUF came into existence only after the comprehensive peace accord of 2006. These two are now trying to organise agricultural labourers (including *ex-Kamaiya*); however, the sluggish increments in their membership is not very encouraging.

## 9. CONCLUSIONS

The government of Nepal has been mounting an attack on the *Kamaiya* system prevalent in the agriculture sector since 2000. Considerable research and documentation of the labour relationships involved were available beforehand. Initially, the government did not intend to formally recognize the problem, and intended to limit the concern and activities to development interventions only. But mounting national and international pressure forced the government to outlaw the system.

This case study has generated the following findings:

1. *Kamaiyas* were successfully freed from bondage through a government declaration and later by the introduction of the *Kamaiya* (Prohibition) Act. However, there are lacunas in the Act that need to be amended. Firstly, the law was specifically designed to handle only the *Kamaiya* problem, not all bonded labour systems and problems. Secondly, the *Kamaiya* Act does not have mandatory provisions to rehabilitate the *ex-Kamaiyas*. Thirdly, the monitoring provision through national and district level committees made in the *Kamaiya* Act has hardly been implemented.

2. The government has done a commendable job allocating land to the landless ex-*Kamaiyas*. This has helped reduce vulnerability and the risk of falling back into the old labour practice. However, some *Kamaiyas* have yet to receive such allocations. This delay has prevented them from benefiting from interventions pegged to the owning of land. The second problem with regards to the land allocation is that most of the recipients of land titles have been relocated outside their village. This has shattered their social relations and limited their employment opportunities. In the new sites, the workers have to compete with the local people for both employment and services such as education and health. Optimally, the freed *Kamaiya* should have been allocated land in their own villages so as to save them from adjustment worries and risks.
3. There has been a proliferation of development interventions by many international organisations. Many focus on sectors, and many work within a limited area and with a limited number of ex-*Kamaiyas*. There is, naturally, a lack of coordination and synergy. The current working system addresses the plight of free *Kamaiyas* only temporarily. Once resources are exhausted, there is a risk of the problem recurring. The Ministry of Land Reform and Management, which is overseeing the *Kamaiya* problem, is not well placed to play the role of coordinator. In the past, it was involved only in maintaining land records and working for land development. There should be a mechanism at the governmental level to ensure proper coordination of the many interventions being made from various quarters.
4. The *Kamaiya* issue was initially projected as the adult male labour problem, despite abundant information about women and children being affected seriously. All interventions, including land distribution, have been male-biased. The female *Kamaiyas* (the *Kamlahri*) have not been considered in the granting of land titles. This poses a danger that female members of *Kamaiya* household will remain far behind their male counterparts.
5. Some of the unintended consequences of the abolition of the *Kamaiya* system need to be brought into immediate attention, including the exploitation of ex-*Kamaiya* and their children.
6. The deteriorating peace and security situation in the region and in the country as a whole also has a bearing on the intractability of the *Kamaiya* rehabilitation issue. The delay in solving the *Kamaiya* problem added fuel to the Maoist insurgency in the past, while the insurgency also created severe restrictions in terms of the flow of resources to the targeted people.
7. The practice of bonded labour is not confined to the *Kamaiya* system only. Research and consultations reveal that similar types of problems exist in various forms and names in different parts of the country. The total number of workers involved in bonded labour systems is estimated to be around 300,000. In the post-*Kamaiya* liberation period, the government recognised the *Haliya* system as similar to *Kamaiya* and declared their freedom. The

remnants of such practices in any form or name should not be left unattended. The government and other stakeholders must take note of this, and prepare themselves to systematically address the problem.

8. Freedom from exploitation and slavery is a human rights issue. Unionisation and collective bargaining are the means to ensure civil and political rights of workers. Although at the time of writing Nepal has yet to ratify the ILO Convention on Freedom of Association (No. 87), it has ratified the Convention on the Right to Organise and Collective Bargaining (No. 98) in November 1996. The latter convention guarantees adequate protection to workers against acts of anti-union discrimination in respect of their employment.

On 20 April 2015, Nepal through its Constituent Assembly promulgated a Constitution which encompasses the fundamental rights of workers as per the international labour standards, including the right to employment and social security, right to form trade unions, and right for collective bargaining.

The role of trade unions and human rights organisations is crucial on this front. In addition, the economic rights, such as the right to work, social protection and fair wages for decent life, should be protected; minimum wage at least should be implemented on a compulsory basis<sup>25</sup>. The lack of these elements has tended to turn the interventions into mere emergency welfare programmes, with limited effects in terms of transforming the environment and conditions in which *ex-Kamaiyas* work and survive. Forced labour and bonded labour practices should not be dealt with on a piecemeal basis; they should be integrated into larger issue of society facing similar poverty ridden situation.

9. In spite of inherent problems seen during the rehabilitation of *Kamaiyas*, results of the field survey conducted by GEFONT in 2014 indicate that all landless *Kamaiyas* have received land ownership, houses with toilet facilities, and access to drinking water. Children attend schools. At least one member of the household has received skills training. The households participate in savings and credit groups. Almost all workers receive at least a minimum wage. Children are increasingly withdrawn from child labour. Trade unions have begun to unionize *ex-Kamaiyas* along with other agricultural labourers in the districts. Around a half-dozen freed *Kamaiya* have been elected/selected in the legislature parliament, the Constituent Assembly; some of the members, such as Ms Shanta Chaudhary, can even be considered a celebrity. An illiterate *ex-Kamlahri*, Shanta, is one of the bestseller autobiographers. She was one of the officials in the former parliament, and chairperson of one of the parliamentary committees. All these suggest that the interventions have brought about positive results.

Some unintended developments brought about by the liberation of *Kamaiyas* have also surfaced in recent years. Almost one-third of the *ex-Kamaiyas* are said to be renting land from the landowners under sharecropping arrangements. Various

---

<sup>25</sup> Nepal has ratified the ILO Convention on Minimum Wage Fixing (No. 131) in September 1974.

exploitative elements are attached to this arrangement, one of them being the supply of free labour to landowners. There should be a careful monitoring of the evolving environment so as to prevent labourers from being trapped in other forms of bondage and exploitation while fighting one form.

The child labour problem seems to have remained unsolved over the years among the *ex-Kamaiya* households. Six out of every 100 *ex-Kamaiya* households still send children to work as domestic workers in urban areas (Sharma and Sharma, 2001). As reported by the ILO and the Central Bureau of Statistics Nepal (2012: 3), "the children of former bonded labourers known as *Kamaiya* continue to work in conditions comparable to forced labour". It should be noted that the *Kamaiya* Labour (Prohibition) Act forbids keeping or employing any person as a bonded labourer and cancels all unpaid loans or bonds between creditors and *Kamaiya* labourers, including children.

It should be noted that Nepal has ratified two important ILO Conventions that relate to the elimination of child labour—Convention on Minimum Wage (No. 138) and Convention on Worst Forms of Child Labour (No. 182). Moreover, the Nepal government issued various legislations, such as the Children's Act (1992) and the Child Labour Prohibition and Regulation Act (2000), to combat child labour. Nonetheless, child labour remains a problem in Nepal. Based on Nepal's Labour Force Survey in 2008/2009, of the 7.7 million children between 5 and 7 years of age, an estimated 3.14 million (40.4%) were working (in employment), the big majority in rural areas (ILO and Central Bureau of Statistics Nepal, 2012).

The *Kamaiya* rehabilitation activities were implemented at a time when the security situation in the *Kamaiya* districts kept on worsening because of the Maoist insurgency. As such, land distribution and the provision of other services could not be successful. This needs to be reviewed in light of the changed context.

The assistance to *ex-Kamaiyas*, both by the state and others actors, have created a feeling among other poor and deprived groups that they are being discriminated against. The absence of programmes to address their problem has also created some tension between *ex-Kamaiyas* and the excluded groups (Sharma and Sharma, 2001).

In locations where a large number of *ex-Kamaiyas* are resettled, local infrastructure such as schools, health posts and drinking water facilities have become overcrowded. There needs to be a commensurate expansion of such facilities to nearby areas in order to avoid a clash between the original inhabitants and resettled *Kamaiyas* with regard to the use of these facilities.

Almost all interventions are directed to *ex-Kamaiya* of type A and B. Other *ex-Kamaiyas* accounting for almost half of the total *Kamaiyas* at the time of liberation are being left out from the intervention process. Not much is known about how they are coping with the changed relationships brought about by the outlawing of the *Kamaiya* system. They should be traced and monitored, and their situation should be addressed.

Finally, the entire *Kamaiya* rehabilitation project should be approached from the human rights-based approach, an approach that encompasses all the discriminated sectors, provides a comprehensive response to the problem, engages the concerned in the process of redress, and holds the perpetrators to account.

GEFONT has developed a formula to unionise and to mobilise workers, including *ex-Kamaiyas*. The formula has five steps: 1) *Get involved* - where there are workers, there should be union organisers; 2) *Organise* - once you are involved, start organising them at once; 3) *Educate* - once you organise them, bring them to the trade union school for basic learning (for instance, GEFONT has started regular trade union school under its organising academy); 4) *Mobilise* - educating members means to mobilise them toward the objectives; and 5) *Intervene* - which means preparing to intervene according to your policy.

## REFERENCES

- Central Bureau of Statistics, Government of Nepal (1999) *Nepal labour force survey (NLFS)*.
- Central Bureau of Statistics, Government of Nepal (2009) *Nepal labour force survey (NLFS)*.
- Gautama, R. (2014) Discussion with Dr Rudra Gautama at GEFONT, Kathmandu, July.
- GEFONT (2004) *Report of secretariat for 4<sup>th</sup> National Congress*. Kathmandu, Nepal.
- GEFONT (2006) *Nepal: Kamaiyas and intervention—Report on analysis of the effectiveness of interventions for the release and rehabilitation of bonded labour in Nepal*. Kathmandu, Nepal: GEFONT/ASI publication.
- GEFONT (2007) *Paying back in sweat and tears*. Kathmandu, Nepal: GEFONT/ASI publication.
- Government of Nepal. HMG/N (1995) Report of the commission for solving squatters' problems and field survey for squatter *Kamaiya*.
- Government of Nepal. HMG/N (1995 and 2000) *Kamaiya counting by respective land record offices*.
- Government of Nepal. Ministry of Land Reform and Management (2014) *Free Kamaiya Rehabilitation and Livelihood Development Program annual report 2014*. Kathmandu, Nepal: Free Kamaiya Rehabilitation Problem Solving Commission Nepal.
- ILO (2013) *Transitioning from the informal to the formal economy*. Geneva: ILO.
- ILO Bureau of Statistics (1993) *Resolution concerning statistics of employment in the informal sector, adopted at the Fifteenth Conference of Labour Statisticians*. Geneva: ILO.
- ILO and Central Bureau of Statistics, Government of Nepal (2012) *Nepal child labour report: based on data drawn from the Nepal Labour Force Survey 2008*. International Labour Organization, International Programme on the Elimination of Child Labour (IPEC), Central Bureau of Statistics of Nepal. Kathmandu: ILO. Available at:  
[https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms\\_182988.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_182988.pdf).
- ILO/South Asian Debt Bondage Project (2001) *Baseline study for Nepal*. Final draft, October.
- International Labour Conference (2015) Recommendation Concerning the Transition from the Informal to the Formal Economy, adopted by the Conference at 104<sup>th</sup> session, Geneva, 12 June 2015. Available at:  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_377774.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_377774.pdf).

- INSEC (Informal Sector Service Centre) (1992) *Bonded labour in Nepal: Under Kamaiya system*. Kathmandu, Nepal: INSEC
- INSEC (1994) *Human rights year book, 1993*. Kathmandu, Nepal: INSEC.
- Lowe, P. (2001) *Kamaiya slavery and freedom in Nepal*. Kathmandu, Nepal: Danish Association for International Co-operation.
- Rimal, B. (2004) *The informal economy*. Paper presented in LO/TCO Seminar, Stockholm, Sweden, October.
- Robertson, A. and Shisham, M. (1997) *Forced to plough: Bonded labour in Nepal's agricultural economy*. Great Britain: London Anti-Slavery International.
- Selener, D. (1997) *Participatory action research and social change*. Ithaca, New York, USA: The Cornell Participatory Action Research Network, Cornell University.
- Sharma, S. and Sharma, R. K. (2001) *Long term labor system in Nepal*. Kathmandu, Nepal: NLA.
- Stiller, S.J. L. F. (1993) *Nepal: Growth of nation*. Nepal: Human Resources Development Research Centre.
- Upadhayaya, K. (2004) Bonded labour in South Asia: India Nepal and Pakistan. In: van Den Anker, C., ed. *The Political Economy of New Slavery*. UK: Palgrave Macmillan.
- Upadhayaya, U. (2004) *Nepal ma barga sangharsha itihis ko kon bata herda* (Class Struggle of Nepal from the Historical Perspective). Unpublished paper of GEFONT (text in Nepali).

## APPENDICES

### Appendix 1: Summary of Major Legislations against Bonded Labour in Nepalese Laws

Laws/Acts	Year	Provision
Interim Constitution of Nepal	2007	Every person shall have the right against exploitation. No person shall be exploited in the name of custom, tradition and practice, or in any other way No person shall be subjected to human trafficking, slavery or bonded labour. No person shall be subject to forced labour. Every employee/worker shall have the right to proper labour practices. Every employee and worker shall have the right to form trade unions, to organise themselves and to engage in collective bargaining for the protection of their interests in accordance with law.
<i>Kamaiya</i> Labour (Prohibition) Act	2002	Freedom of all <i>Kamaiyas</i> with the cancellation of <i>Saunk</i> and nullification of bond or agreement, return of mortgage/security, and punishment for maintaining <i>Kamaiyas</i>
Child Labour (Prohibition and Regulation) Act	2000	Restriction on child labour
Public Prosecution Act	1992	Human trafficking cases are dealt with as a public offence
Labour Act	1992	Fixation of working hours and minimum wages, overtime payment, layoff, health and safety, and ad other welfare and social security measures
Trade Union Act	1992	Right to organization and collective bargaining
Traffic in Human (Control) Act	1986	Definition of human trafficking as a crime, punishment to defaulters
Muluki Ain (Civil Code)	1964	Provision against the practice of forced labour, restriction on enslavement, fixation of wages by mutual agreement, compensation to the worker in case of non-payment
Civil Rights Act	1956	Right to equality, right against discrimination, right to personal liberty, right to life, right against forced labour and prohibition of child labour

## Appendix 2: Key Milestones in *Kamaiya* Liberation and Rehabilitation

Date	Event
1990	All Nepal Peasants Association (ANPA) held its third national convention in Pokhara. Representatives from Kanchanpur, Kailali, Bardiya, Banke and Dang districts raised the issues of <i>Kamaiyas</i> . A few days later, INSEC human rights activists Mr. Sushil Pyakurel and the late Prakash Kafle took initiatives, in collaboration with the ANPA, to conduct the first ever detailed survey on the state and status of <i>Kamaiyas</i> in Kanchanpur, Kailali and Bardiya districts.
1991	In the first parliamentary session, the then General Secretary of the ANPA, Mr. Keshav Badal, tabled a commitment proposal on ' <i>Kamaiya</i> liberation and giving them land rights'. The then government, however, refused to put the proposal to discussion.
1992	Informal Sector Services Centre (INSEC) published the report titled, "Bonded Labour in Nepal under <i>Kamaiya</i> System". INSEC also launched rights based interventions among <i>Kamaiyas</i> , and intensified policy lobbying at national and international levels.
1995	The government published a report of the census of <i>Kamaiya</i> households. A total of 17,435 <i>Kamaiya</i> households were identified. In the same year, the Department of Land Reform enumerated only 15,152 <i>Kamaiya</i> households.
1994	<i>Kamaiya Mukti Andolan</i> ( <i>Kamaiya</i> Liberation Movement) was formed. It was a primary stage to form a union for <i>Kamaiyas</i> .
1995	GEFONT launches the <i>Kamaiya</i> Liberation Front. It was the main engine to organise bonded <i>Kamaiyas</i> .
1995/96	Government earmarked some funds for rescue and rehabilitation of <i>Kamaiyas</i> . The funds were allocated for enumeration of <i>Kamaiya</i> families, <i>Kamaiya</i> group formation, establishment of revolving fund, and skills training for alternative employment, among others.
	Interventions were intensified by organizations such as INSEC, BASE, RRN, GRINSO and GEFONT.
	International organizations such as the ILO, Plan Nepal, Action Aid, Anti-Slavery International, MS Nepal and Lutheran World Service started to work on the <i>Kamaiya</i> issue.
1998	' <i>Kamaiya</i> Concern Group' was formed comprising civil society organizations for coordinated action and policy lobbying.
	ILO published the " <i>Kamaiya</i> System in Nepal".
1999	INSEC published the "Revisit to <i>Kamaiya</i> System in Nepal".
	Trade Union Act amended providing union rights to all agricultural workers.
	A minimum wage was introduced in the agricultural sector for the first time in Nepal's history, fixing Rs 60 per day for eight hours work.
	Cases against exploitation and bondage were registered with local governments. Agitations started to mount for liberation with some individual employers letting their <i>Kamaiyas</i> go.
2000	In the face of escalating pressure in all <i>Kamaiya</i> prone districts, the government announced the liberation of <i>Kamaiyas</i> in 17 July 2000. Ex- <i>Kamaiyas</i> were enumerated again. Some 18,400 households were identified, of which some 13,000 were completely landless.
2001	ILO-Geneva published the "Bonded Child Labour Among Child Workers of the <i>Kamaiya</i> System: A Rapid Assessment".
	The government, national and international agencies, intensified rehabilitation and support activities. The government distributed land to landless ex-

	<i>Kamaiyas</i> . This provided basis for ILO to implement its "Sustainable Elimination of Bonded Labour in Nepal" project in December 2001.
2002	<i>Kamaiya</i> Prohibition Act was issued.
	Baseline data was collected from liberated <i>Kamaiyas</i> by National Labour Academy for ILO. The information was compiled into the "Socio-economic Information on Ex- <i>Kamaiyas</i> of Nepal."
2004	GEFONT launched HMIS (Health Micro-Insurance Scheme) targeting the ex- <i>Kamaiyas</i> along with general agricultural workers. This programme was launched in association with ILO-STEP in March 2, 2004.
2005	GEFONT along with other actors went to search if there were still other forms of forced labour vis-à-vis bondage labour practices. <i>Haliya</i> system was recorded as a form of forced labour.
2006	GEFONT/ASI carried out a study on <i>Kamaiya</i> and Intervention
2011	The national minimum wage for agricultural labourer was revised the second time.

## About the author

**Bishnu Rimal** is the Chief Advisor to the Prime Minister of Nepal, KP Sharma Oli. He was the founding Secretary-General and immediate past President of the General Federation Nepalese Trade Unions (GEFONT). He was a member of the first Constituent Assembly, Nepal's legislature-parliament, from May 2008 to May 2012.

As a central leader of the CPN (UML) and now the Nepal Communist Party (NCP), the ruling party in Nepal, Bishnu has been active in Nepali politics since 1979. Bishnu holds a bachelor's degree in management and a master of business administration. He also studied civil engineering. He has authored more than three-dozen books and a good number of articles, mostly in the Nepali language.

### Members of the GLU network:

British Trade Union Congress (TUC), U.K.  
Cardiff University, U.K.  
Central Única dos Trabalhadores (CUT) / Observatorio Social, Brazil  
Congress of South African Trade Unions (COSATU), South Africa  
Deutscher Gewerkschaftsbund (DGB) / DGB Bildungswerk, Germany  
European Trade Union Institute (ETUI)  
Hochschule für Wirtschaft und Recht Berlin (HWR), Germany  
Friedrich-Ebert-Stiftung (FES), Germany  
Global Union Research Network (GURN)  
Global Unions (GU)  
Hans-Böckler-Stiftung (HBS), Germany  
Industriegewerkschaft Metall (IG Metall), Germany  
International Federation of Workers' Education Associations (IFWEA)  
International Institute for Labour Studies (IILS), ILO  
International Labour Organisation (ILO) / Bureau for Workers' Activities (ACTRAV)  
Jawaharlal Nehru University (JNU), New Delhi, India  
National Labour and Economic Development Institute (Naledi), South Africa  
PennState University, USA  
Ruskin College, Oxford, U.K.  
Tata Institute of Social Sciences, India  
Universidade Estadual de Campinas, Brazil  
Universität Kassel, Germany  
University of the Witwatersrand (WITS), South Africa

### Published GLU Working Papers

- No.1 Seeraj Mohamed; Economic Policy, Globalization and the Labour Movement: Changes in the Global Economy from the Golden Age to the Neoliberal Era, February 2008  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.1.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.1.pdf)
- No.2 Birgit Mahnkopf; EU Multi-Level Trade Policy: Neither coherent nor development-friendly, February 2008  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.2.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.2.pdf)
- No.3 Edward Webster, Christine Bischoff, Edlira Xhafa, Juçara Portilho Lins, Doreen D. Deane, Dan Hawkins, Sharit K. Bhowmik, Nitin More, Naoko Otani, Sunghee Park, Eustace I. James, Melisa Serrano, Verna D. Viajar, Ramon A. Certeza, Gaye Yilmaz, Bülend Karadağ, Tolga Toren, Elif Sinirlioğlu and Lyudmyla Volynets; Closing the Representation Gap in Micro and Small Enterprises, November 2008  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.3.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.3.pdf)
- No.4 Max J. Zenglein; Marketization of the Chinese Labor Market and the Role of Unions, November 2008  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.4.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.4.pdf)
- No.5 Wilfried Schwetz and Donna McGuire; FIFA World Cup 2006 Germany: An opportunity for union revitalisation? November 2008  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.5.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.5.pdf)
- No.6 Hansjörg Herr, Milka Kazandziska, Silke Mahnkopf-Praprotnik; The Theoretical Debate about Minimum Wages, February 2009  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.6.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.6.pdf)
- No.7 Patricia Chong; Servitude with a Smile: An Anti-Oppression Analysis of Emotional Labour, March 2009  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.7.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.7.pdf)
- No.8 Donna McGuire and Christoph Scherrer with: Svetlana Boincean, Ramon Certeza, Doreen Deane, Eustace James, Luciana Hachmann, Kim Mijeoung, Maike Niggemann, Joel Odigie, Rajeswari, Clair Siobhan Ruppert, Melisa Serrano, Verna Dinah Q. Viajar and Mina Vukojicic; Developing a Labour Voice in Trade Policy at the National Level, February 2010  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.8.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.8.pdf)

- No.9 Paulo Eduardo de Andrade Baltar, Anselmo Luís dos Santos, José Dari Krein, Eugenia Leone, Marcelo Weishaupt Proni, Amilton Moretto, Alexandre Gori Maia and Carlos Salas; Moving towards Decent Work. Labour in the Lula government: reflections on recent Brazilian experience, May 2010  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.9.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.9.pdf)
- No.9 Paulo Eduardo de Andrade Baltar, Anselmo Luís dos Santos, José Dari Krein, Eugenia Leone, Marcelo Weishaupt Proni, Amilton Moretto, Alexandre Gori Maia and Carlos Salas; Trabalho no governo Lula: uma reflexão sobre a recente experiência brasileira, May 2010  
([http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.\\_9\\_portuguese.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No._9_portuguese.pdf))
- No.10 Christine Bischoff, Melisa Serrano, Edward Webster and Edlira Xhafa; Strategies for Closing the Representation Gap in Micro and Small Enterprises, July 2010  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.10.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.10.pdf)
- No.11 Hansjörg Herr and Milka Kazandziska; Principles of Minimum Wage Policy - Economics, Institutions and Recommendations, March 2011  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.11.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.11.pdf)
- No.12 Chiara Benassi; The Implementation of Minimum Wage: Challenges and Creative Solutions, March 2011  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.12.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.12.pdf)
- No.13 Rudolf Traub-Merz; All China Federation of Trade Unions: Structure, Functions and the Challenge of Collective Bargaining, August 2011  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.13.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.13.pdf)
- No.14 Melisa R. Serrano and Edlira Xhafa; The Quest for Alternatives beyond (Neoliberal) Capitalism, September 2011  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.14.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.14.pdf)
- No.15 Anna Bolsheva; Minimum Wage Development in the Russian Federation, July 2012  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.15.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.15.pdf)

- No.16 Hansjörg Herr and Gustav A. Horn; Wage Policy Today, August 2012  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.16.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.16.pdf)
- No.17 Neil Coleman; Towards new Collective Bargaining, Wage and Social Protection Strategies in South Africa - Learning from the Brazilian Experience, November 2013  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.17.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.17.pdf)
- No.18 Petra Dünhaupt; Determinants of Functional Income Distribution – Theory and Empirical Evidence, November 2013  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.18.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.18.pdf)
- No.19 Hansjörg Herr and Zeynep M. Sonat; Neoliberal Unshared Growth Regime of Turkey in the Post-2001 Period, November 2013  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.19.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.19.pdf)
- No.20 Peter Wahl; The European Civil Society Campaign on the Financial Transaction Tax, February 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.20.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.20.pdf)
- No.21 Kai Eicker-Wolf and Achim Truger; Demystifying a 'shining example': German public finances under the debt brake, February 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.21.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.21.pdf)
- No.22 Lena Lavinias, in collaboration with Thiago Andrade Moellmann Ferro; A Long Way from Tax Justice: the Brazilian Case, April 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.22.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.22.pdf)
- No.23 Daniel Detzer; Inequality and the Financial System - The Case of Germany, April 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.23.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.23.pdf)
- No.24 Hansjörg Herr and Bea Ruoff; Wage Dispersion – Empirical Developments, Explanations, and Reform Options, April 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.24.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.24.pdf)
- No.25 Bernhard Leubolt; Social Policies and Redistribution in South Africa, May 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.25.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.25.pdf)

- No.26 Bernhard Leubolt; Social Policies and Redistribution in Brazil, May 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.26.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.26.pdf)
- No.27 Sarah Godar, Christoph Paetz and Achim Truger; Progressive Tax Reform in OECD Countries: Perspectives and Obstacles, May 2014  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.27.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.27.pdf)
- No.29 Thomas Obst; Long-term trends in income distribution - a global perspective, February 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.29.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.29.pdf)
- No.30 Bruno Dobrusin; Trade union debates on sustainable development in Brazil and Argentina, February 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.30.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.30.pdf)
- No.31 Christoph Hermann; Green New Deal and the Question of Environmental and Social Justice, February 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.31.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.31.pdf)
- No.32 John Cody; How labor manages productivity advances and crisis response: a comparative study of automotive manufacturing in Germany and the US, February 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.32.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.32.pdf)
- No.33 Lauro Mattei; The Brazilian Rural Development Model in the Context of Green Economy, 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.33.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.33.pdf)
- No.34 Daniela Magalhães Prates, Adriana Nunes Ferreira and Daniela Gorayeb; The Brazilian Credit Market: Recent Developments and Impact on Inequality, 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.34.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.34.pdf)
- No.35 Sumedha Bajar and Meenakshi Rajeev; The Impact of Infrastructure Provisioning on Inequality: Evidence from India, 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.35.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.35.pdf)

- No.36 Luciole Sauviat; In Search for Political Consciousness. The Role of Workers' Education, 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.36.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.36.pdf)
- No.37 Meenakshi Rajeev; Financial Inclusion and Disparity: A Case of India, 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.37.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.37.pdf)
- No.38 Mohd Raisul Islam Khan and Christa Wichterich; Safety and labour conditions: the accord and the national tripartite plan of action for the garment industry of Bangladesh, 2015  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.38.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.38.pdf)
- No.39 Bea Ruoff; Labour Market Developments in Germany: Tales of Decency and Stability, 2016  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.39.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.39.pdf)
- No.40 Claudia Hofmann and Norbert Schuster; It ain't over 'til it's over: The right to strike and the mandate of the ILO committee of experts revisited, 2016  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.40.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.40.pdf)
- No.41 Adriana Nunes Ferreira, Ana Rosa Ribeiro de Mendonça and Simone Deos; The role of Brazilian public banks facing inequality: some reflections on the case of Brazilian development bank, Caixa and the federal regional banks, 2016  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.41.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.41.pdf)
- No.42 Melisa R. Serrano and Edlira Xhafa; From 'precarious informal employment' to 'protected employment': the 'positive transitioning effect' of trade unions, 2016  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.42.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.42.pdf)
- No.43 Christoph Scherrer and Stefan Beck; Trade regulations and global production networks, 2016  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.43.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.43.pdf)
- No.44 Hansjörg Herr, Erwin Schweishelm and Truong-Minh Vu; The integration of Vietnam in the global economy and its effects for Vietnamese economic development, 2016  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.44.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.44.pdf)

- No.45 Devan Pillay and Michelle Williams; Rekindling the utopian imagination: Intellectual diversity and the GLU/ICDD network, 2017  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.45.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.45.pdf)
- No.46 Glynne Williams, Steve Davies, Julius Lamptey and Jonathan Tetteh; Chinese Multinationals: Threat to, or Opportunity for, Trade Unions? The case of SINOHYDRO in Ghana, 2017  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.46.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.46.pdf)
- No.47 Tandiwe Gross and Amar Kharate; Organizing the invisible – strategies of informal garment workers in Mumbai's slum economy, 2017  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.47.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.47.pdf)
- No.48 Ho Ching Florence Yuen; Development of Wage Dispersion: A Case Study of Hong Kong, 2017  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.48.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.48.pdf)
- No.49 Aelim Yun; Curbing precarious informal employment: A Case Study of precarious workers in the South Korean construction industry, 2017  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.49.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.49.pdf)
- No.50 Baba Aye; "NUPENGASSAN" and the struggle against precarious work in the Nigerian oil and gas industry, 2017  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.50.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.50.pdf)
- No.51 Devan Pillay; Trade union revitalisation in South Africa: Green shoots or false dawns?, 2017  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.51.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.51.pdf)
- No.52 Ramon A. Certeza; The PALEA Struggle Against Outsourcing and Contractualization in the Airline Industry in the Philippines, 2018  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.52.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.52.pdf)
- No.53 Hansjörg Herr and Zeynep M. Nettekoven; The Role of Small and Medium-sized Enterprises in Development: What Can be Learned from the German Experience?, 2018  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.53.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.53.pdf)

- No.54 Marlese von Broembsen and Jenna Harvey; Decent Work for Homeworkers in Global Supply Chains: Existing and Potential Mechanisms for Worker-Centred Governance, 2019  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.54.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.54.pdf)
- No.55 Edlira Xhafa; Organising against all odds: Precarious workers as 'actors and authors of their own drama', 2019  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.55.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.55.pdf)
- No.56 Gaye Yilmaz and Diyar Erdoğan; Anatomy of a refugee workshop: Syrian labourers in Istanbul, 2019  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.56.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.56.pdf)
- No.57 Bishnu Rimal; Curbing precarious informal Employment and bonded Labour in the Agriculture Sector of Nepal: GEFONT's Initiative to liberate *Kamaiyas*, 2019  
[http://www.global-labour-university.org/fileadmin/GLU\\_Working\\_Papers/GLU\\_WP\\_No.57.pdf](http://www.global-labour-university.org/fileadmin/GLU_Working_Papers/GLU_WP_No.57.pdf)



Global Labour University  
c/o Bureau for Workers' Activities  
International Labour Office  
Route des Morillons 4  
CH- 1211 Geneva 22  
Switzerland

[www.global-labour-university.org](http://www.global-labour-university.org)

[glu.workingpapers@global-labour-university.org](mailto:glu.workingpapers@global-labour-university.org)

ISSN 1866-0541